

(Zoning Referral Memoranda dated Sept. 15, and Sept. 23, 1966)

September 15, 1966

MEMORANDUM

TO: Boston Redevelopment Authority
FROM: Edward J. Logue, Development Administrator
SUBJECT: Zoning Referrals

I. ZONING COMMISSION - TABLED ITEM - REVISED RECOMMENDATION.

Re: Map Amendment Application No. 33
The Lynn Corporation by
Thomas Wheeler, President
1700 River Street, Hyde Park

Petitioner seeks to change mill pond area of approximately 12 acres, bounded by River Street, Readville Street and Knight Street, immediately southeast of Kelly Field in Readville, Hyde Park, from single and two-family zones to a general business zone for the purpose of building a shopping center, containing a supermarket, department stores, etc. This site, under the 1975 Plan, is part of the Open Space Program and should be developed for that purpose. An open space study, looking to recommendation for using federal open space acquisition funds to acquire this and other sites is in preparation.

VOTED: That in connection with Map Amendment Application No. 33 brought by the Lynn Corporation concerning property at 1700 River Street, Hyde Park, to change mill pond area of approximately 12 acres, bounded by River Street, Readville Street and Knight Street in Readville, from a single family and two-family zone to a general business zone, for the purpose of building a shopping center, the Boston Redevelopment Authority is opposed to the granting of the petition because this site, under the 1975 General Plan is part of an open space program and a study looking to recommendation for using federal open space acquisition funds to acquire this and other sites is in preparation.

II. CURRENT ITEMS.

Re: Map Amendment Application No. 35
Bartholomew W. Cosentino by
Joseph Graglia
2000 Commonwealth Ave., Brighton

Petitioner seeks to extend the H-2 (Apartment, F.A.R. of 2) zone on the southerly side of Commonwealth Avenue just northwest of its intersection with Chestnut Hill Driveway so as to include the remaining block frontage on

Commonwealth Avenue now zoned for Apartments with an F.A.R. of 1. Only three lots are involved in this change. The westerly lot is already built to an F.A.R. of 1.3 and the easterly lots adjoining the two lots to be developed are in an H-2 zone. There does not appear to be any advantage or reason for restricting the development of two lots in a block frontage of some 1200 feet to a lower density than those in the remaining area. There is an abundance of public open space in the rear of the area involved and a slightly increased density will promote the most appropriate use of this particular area of land. Recommend approval.

VOTED: That in connection with Map Amendment Application No. 35 brought by Joseph Graglia for Bartholomew W. Cosentino to extend the Apartment, H-2, zoning at 2000 Commonwealth Avenue in Brighton, in a northwesterly direction so as to include three lots of property now zoned as H-1, the Boston Redevelopment Authority recommends approval since there doesn't appear to be any advantage or reason for restricting the development of two lots in a block frontage of some 1200 feet, to a lower density than those in the remainder of the block. There is an abundance of public open space in the rear of the area and it would appear that a slightly increased density allowance will promote the most appropriate use of this particular area of land.

Re: Map Amendment Application No. 36
William Merola & Sons, Inc.
Truman Highway, north of Fairmount
Avenue, Hyde Park

Petitioner seeks to change an area of land on the northeast side of Truman Highway at Warren Avenue in Hyde Park, from a single family (S-.5) zone to an apartment (H-1) zone. Area involved lies between the Neponset River bank and Truman Highway, is about 400 feet in length and varies from 150 to 100 feet in depth. There is a difference in elevation of about 35 feet between Truman Highway and the river but fill is taking place and presumably this will require a considerable amount of retaining wall construction. There is a manufacturing district across the river and the adjoining uses along the highway are mixed, i. e., business and three-story apartments. The development of this area would be more conducive to garden apartments than to single family housing. Recommend approval for an R-.8 zone which would limit the height to three stories.

VOTED: That in connection with Map Amendment Application No. 36 brought by William Merola & Sons, to change area of land on Truman Highway at Warren Avenue in Hyde Park from a single family (S-.5) zone to an H-1, apartment zone, the Boston Redevelopment

Authority is favorable to the change to apartments but is of the opinion that the height should be limited to three stories, i.e., an R-.8 zone. It is felt that because of fronting on a main highway, the adjoining uses in the general vicinity being of a mixed variety, i.e., business and three-story apartments with a manufacturing zone across the river that the development of this area for garden apartments is an appropriate use.

Re: Map Amendment Application No. 37
F. L. Brauer & Son, Inc.
5300 Washington St., West Roxbury

Petitioner seeks to change an area of land on the southeasterly side of Washington Street in West Roxbury, one block distant from the Dedham line, from local business and single family zoning to apartment zoning with a floor area ratio of 1 (H-1). The area is bounded by Washington Street, Rockland Street, a line 100 feet to the rear and west of Schiller Street and Meshaka Street. The petitioner's property is the site of the Old Moose Club Hall. Coincidentally, in this group of referrals there is a Board of Appeal petition to build a 12 unit apartment house on Rockland Street adjacent to the club site. There has been a considerable amount of apartment building on Washington Street which is strip-zoned for local business, from the Dedham line to several blocks beyond Grove Street. There is no need or demand for business use of the frontage on Washington Street and neither does it appear that the area in the immediate rear is advantageously located for single family housing. Apartments in the area involved, can on the other hand, serve as a good transition use between a main highway and single family use. Recommend approval.

VOTED: That in connection with Map Amendment Application No. 37 brought by F. L. Brauer & Son to change an area of land on Washington Street, West Roxbury between Rockland Street and Meshaka Street from L-.5 and S-.5 zones to an H-1 zone, the Boston Redevelopment Authority recommends approval since in its opinion, the highest and best use of the land is for apartment use. There is no need or demand for business use of the frontage on Washington Street, and apartments, on the other hand, can serve as a good transition use between a main highway and single family use.

II. ZONING REFERRALS

Hearings have already been held by the Board of Appeal on Petitions Nos. Z-582 - Z-589 - Z-590 - Z-597.

Re: Petition No. Z-591
Ernani Ciampoli
38 Rita Rd., Dorchester

Four dimensional variances, lot size, lot width, front and rear yards less than required, are sought to erect a one family dwelling in a single family (S-.5) district. The code makes provisions for certain shallow and narrow lots. Under these allowances, the rear yard would lack only six feet. The appellant would have a front yard of 20 feet. The abutting lots have similar frontage and other lots on the street have less. Approval is recommended.

Optional case

VOTED: That in connection with Petition No. Z-591 brought by Ernani Ciampoli, 38 Rits Road, Dorchester, for four dimensional variances to erect a one family dwelling in a single family district, the Boston Redevelopment Authority has no objection to the granting of the variances. Under the provisions of the code for certain shallow and narrow lots, the rear yard would lack only six feet. The appellant's front yard of twenty feet would be similar to the abutting lots and more than others on the street. The use will not detract from the general character of the neighborhood.

Re: Petitions No. Z-592 thru Z-594
Marshall Schneider
33-35 Middle St. & 1-2 Plummer Pl.,
32-34-35-37-39 Woodward St., S. Boston

Three parking lots, forbidden uses, are sought in an apartment (H-1) district. The lots would be used for employees of firms located on Damrel Street which is two streets away from Middle Street and three from Woodward Street. These lots are surrounded by dwellings in this heavily congested multi-family district. Middle Street is very narrow and only open to one-way traffic. Woodward Street is also narrow. The use is not appropriate for the area and denial is recommended.

VOTED: That in connection with Petitions No. Z-592 through Z-594 brought by Marshall Schneider, 33-35 Middle Street, 32-34-35-37-39 Woodward Street, South Boston, to allow three parking lots, forbidden uses, in an apartment district, the Boston Redevelopment Authority is opposed to the granting of the variances. These lots are located on very narrow streets and in a heavily populated multi-family district. Middle Street is open only to one-way traffic. This use is definitely detrimental to the neighborhood.

Re: Petition No. Z-595
M. Steve Zaratzian
250 W. Newton & 100 St. Botolph Sts.
Boston

A variance is sought from order of Building Commissioner to cease non-conforming use of stores as steam laundry in an apartment (H-2) district. The stores had been occupied by chinese hand laundry and barber shop. It appears from physical inspection that this is a large operation, laundry, cleaning and tailoring, with all work being performed on premises. Advertising signs which have been erected exceed allowance for an apartment (H-2) district. The Fenway Project Director states the Project Plan for this area is to encourage residential rehabilitation and eliminate non-conforming uses.
Recommend denial. Optional case

VOTED: That in connection with Petition No. Z-595 brought by M. Steve Zaratzian, 250 West Newton & 100 St. Botolph Streets, Boston, to allow variance from order of Building Commissioner to cease non-conforming use of stores in an apartment district, the Boston Redevelopment Authority is opposed to the granting of the variance. The chinese hand laundry and barber shop have been converted into a large operation of laundry, cleaning and tailoring. Residential rehabilitation should be encouraged in this area and where possible, non-conforming uses eliminated.

Re: Petition No. Z-596
Columbus Nursing Home
910 Saratoga Street, East Boston

Extension of a non-conforming use and variances of front yard and lot area per additional dwelling unit insufficient and excessive floor area ratio are sought to erect a two-story addition to a nursing home in a residential (R-.8) zone. The front yard violation of ten feet is existing. The expansion would increase the resident capacity of 90 beds to 109 and provide facilities which are presently inadequate. Recommend no objection.

VOTED: That in connection with Petition No. Z-596 brought by Columbus Nursing Home, 910 Saratoga Street, East Boston, for extension of a non-conforming use and three variances, to erect a two-story addition to a nursing home in a residential district, the Boston Redevelopment Authority has no objection to the granting of the variances. This is a case of normal expansion which will not adversely affect the community.

Re: Petition No. Z-598
Di Pietro & Vazza, Inc.
9-11 Henry Street, East Boston

A conditional use permit and four variances are sought to erect a one-story addition to a funeral home in a local business (L-1) zone. The use is located at the rear of a gas station and parking lot adjacent to Maverick Square. Transportation-Engineering Department recommends proviso that the 18 required parking spaces are provided within 1200 feet of the lot. Approval is recommended on condition of the foregoing.

VOTED: That in connection with Petition No. Z-598 brought by DiPietro & Vazza, Inc., 9-11 Henry Street, East Boston, for a conditional use and four variances to erect a one-story addition to a funeral home in a local business district, the Boston Redevelopment Authority has no objection to the granting of the petition provided the eighteen required off-street parking spaces are within 1200 feet of the lot. The use is located in a heavily congested area and some parking relief should be provided.

Re: Petition No. Z-599
Raymond J. Thomas
61 Arborway, Jamaica Plain

A change of occupancy from a one family dwelling to a funeral home, a forbidden use, is sought in a single family (S-.3) district, which is one of the finest residential sections in the city. The proposed use, which is conditional in a local business zone, would be detrimental to this residential area. The Arborway is a major artery, heavily travelled day and evening. The use would seriously impede traffic and cause unnecessary hazards. Recommend denial.

VOTED: That in connection with Petition No. Z-599 brought by Raymond J. Thomas, 61 Arborway, Jamaica Plain, for a change of occupancy from a one family dwelling to a funeral home, a forbidden use, in a single family district, the Boston Redevelopment Authority is opposed to the granting of the variance. The proposed use would be detrimental to the area, one of the prime residential sections of the city. Further, it would seriously impede vehicular traffic on a major artery and cause unnecessary hazards.

Re: Petition No. Z-600
Massachusetts General Hospital
55 Fruit Street, Boston

A variance of off-street parking not supplied is sought to erect a two-story addition on an existing wing of the George Robert White Building in an apartment (H-4) district. Only one space is required for this small expansion and it is provided outside the lot. 690 spaces are required for the entire hospital complex. MGH states it has 1850 spaces under hospital control. However, Transportation-Engineering Department recommends approval with the proviso that the hospital maintain the required 690 spaces.

Optional case

VOTED: That in connection with Detition No. Z-600 brought by Massachusetts General Hospital, 55 Fruit Street, Boston, to erect a two-story addition on an existing wing in an apartment district, the Boston Redevelopment Authority has no objection to the granting of the variance provided the hospital maintain the 690 off-street parking spaces required by the code.

Re: Petition No. Z-601
Patrick J. Luciano
15 Hallron Street, Hyde Park

A variance of side yard less than required is sought to erect a one room addition to a one family dwelling in a single family (S-.5) district. The appellant proposes to add a 7' x 3' addition. The side yard deficiency of 4.1 ft. is existing. The extension will not be detrimental to nor deprive the neighbors of light and air. Recommend approval.

Optional case

VOTED: That in connection with Petition No. Z-601 brought by Patrick J. Luciano, 15 Hallron Street, Hyde Park, for a variance of side yard less than required to erect a one room addition to a one family dwelling in a single family district, the Boston Redevelopment Authority has no objection to the granting of the variance. The yard deficiency already exists for the remainder of the house and the addition will not be detrimental to nor deprive the neighbors of light and air.

Re: Petition No. Z-602
Maurice F. & Mary B. Ford
1939 Dorchester Ave., Dorchester

Five variances, lot area per additional unit, front yard, rear yard, off-street parking insufficient and floor area ratio exceeded, are sought to allow change of occupancy from a one car garage to a law office in a local business (L-1) zone. Transportation-Engineering Department is opposed. They report traffic on Dorchester Avenue, directly opposite Ashmont MBTA Station, is heavy and the street not wide enough and there is no justification for permitting additional dwelling units or higher intensity of use since curb parking is prohibited and no off-street parking facilities provided. Recommend denial.

Optional case

VOTED: That in connection with Petition No. Z-602 brought by Maurice F. & Mary B. Ford, 1939 Dorchester Avenue, Dorchester, for five variances to allow change of occupancy from a one car garage to a law office in a local business district, the Boston Redevelopment Authority is opposed to the granting of the variances because traffic on Dorchester Ave. directly opposite Ashmont MBTA Station is

congested and curb parking is prohibited. The off-street parking facilities should be maintained and there is no justification for permitting higher intensity of use if parking cannot be provided.

Re: Petition No. Z-603
New Hall Apartments, Inc.
311 Harvard Street, Dorchester

A variance of front yard less than required is sought to erect a three-story six unit apartment building in an apartment (H-1) district. The use will be one of four buildings, total 45 units, FHA 221D3, low income housing, located a short distance from the intersection of Talbot and Blue Hill Avenues. There is a great demand for this housing in the area and approval is recommended.
Optional case

VOTED: That in connection with Petition No. Z-603 brought by New Hall Apartments, Inc., 311 Harvard Street, Dorchester, for a variance of front yard less than required, to erect a six unit apartment building as one of a group of four in an apartment district, the Boston Redevelopment Authority has no objection to the granting of the variance. The use is one of four FHA 221 D3 low income housing dwellings for which there is a great demand in this area. The other three buildings meet all requirements, the area is sizeable, there will be no deprivation of light and air and the single violation is minor.

Re: Petition No. Z-604
Robert V. Johnson
6 Maybrook Street, Dorchester

A forbidden use and variance of lot area per additional unit less than required are sought to allow change of occupancy from two family to two family and beauty shop in a residential (R-.8) zone. The proposed use with its attendant activity would tend to disrupt the quiet and seclusion of the neighborhood. Denial is recommended.

VOTED: That in connection with Petition No. Z-604 brought by Robert V. Johnson, 6 Maybrook St., Dorchester, for a forbidden use and variance of lot area per additional unit less than required to change occupancy to two family and beauty shop in a residential district, the Boston Redevelopment Authority is opposed to the granting of the variances. The use would tend to disrupt the quiet and seclusion of the neighbors and is incompatible to the area. It is on the fringe of the Roxbury-North Dorchester General Neighborhood Rehabilitation Area and any business encroachments should not be tolerated.

Re: Petition No. Z-605
Forsyth Dental Infirmary for Children
140 The Fenway, Boston

A variance of insufficient front yard is sought to allow a two story medical research addition in an apartment (H-3) zone. A fifteen foot front yard is required and is not provided. The Fenway Project Director states the proposed addition is consistent with the objectives of the Fenway Plan. Approval is recommended. Optional case

VOTED: That in connection with Petition No. Z-605 brought by Forsyth Dental Infirmary for Children, 140 The Fenway, Boston for a variance of insufficient front yard to erect a two-story medical research addition in an apartment district, the Boston Redevelopment Authority has no objection to the granting of the variance since 80 foot open spaces are provided on each side of the building and the proposed addition is a reasonable use of land which is consistent with the objectives of the Fenway Urban Renewal Plan.

Re: Petition No. Z-606
Frederick L. Perkins
33 Hemlock Road, West Roxbury

A variance of lot frontage less than required is sought to sub-divide lot in a single family (S-.5) district. An existing two-car garage presently extends into the Hemlock Road property. The sub-division consists of the transfer of 100 square feet of land from Hemlock Road to 45-47 Billings Street to consummate the sale of the latter. Approval is recommended. Optional case

VOTED: That in connection with Petition No. Z-606 brought by Frederick L. Perkins, 33 Hemlock Road, West Roxbury, for a variance to subdivide lot in a single family district, the Boston Redevelopment Authority has no objection to the granting of the variance. The violation is minimal. The sub-division is necessary for the sale of abutting property.

Re: Petition No. Z-607
Robin Investment Corp.
21 Rockland Street, West Roxbury

A forbidden use and five variances are sought to erect a two-story and basement 12 unit apartment building in a single family (S-.5) district. The variances consist of excessive floor area ratio, lot area per additional unit, side yard, rear yard and off-street parking less than required. The Transportation-Engineering Department reports unfavorably. This is new construction and the required number of spaces should be provided. Since this appeal, a petition has been filed with the Zoning Commission by another party for a zone change to an apartment (H-1) district which would include this property. This would appear to be the correct procedure to allow higher density in this area. No evidence of hardship has been submitted that would justify relaxation of the code to allow these variances. Denial is recommended.

Optional case

VOTED: That in connection with Petition No. Z-607 brought by Robin Investment Corp., 21 Rockland Street, West Roxbury, for a forbidden use and five variances to erect a twelve-unit apartment building in a single family district, the Boston Redevelopment Authority is opposed to the granting of the variances. Since this appeal, a petition has been filed with the Zoning Commission by another party for a zone change to an apartment (H-1) district, which would include this area. Further, since this is new construction, the required parking spaces should be provided. No evidence of hardship has been submitted that would justify relaxation of the code to allow these variances.

Re: Petition No. Z-608
Tileston & Hollingsworth Paper Co.
867 River Street, Hyde Park

A forbidden use and three variances are sought for outdoor buying, selling and exchanging ten second-hand cars in a local business (L-.5) district. The variances are front yard, rear yard and off-street parking less than required. The use would be in conjunction with an existing service station. River Street is a congested, heavily travelled thoroughfare. It is felt this enterprise would further aggravate the traffic problem and because of its attendant activity and signs would not be compatible with the area. Recommend denial.

Optional case

VOTED: That in connection with Petition No. Z-608 brought by Tileston & Hollingsworth Paper Co., 867 River Street, Hyde Park, for a forbidden use and three variances including lack of off-street parking, to buy, sell and exchange ten second-hand cars in a local business (L-.5) district, the Boston Redevelopment Authority is opposed to the granting of the variances. The flow of traffic on River Street would be seriously affected and the use would be incompatible with the area because of the activity and signs attendant to it.

Re: Petition No. Z-609
Jeanette A. Aitken
64 Clifftondale Street, West Roxbury

A variance is sought to sub-divide lot in a single family (S-.5) district. Allowance of the variance would validate the sub-division. The petitioner, who has owned the land since 1908, sold the vacant lot, 60 Clifftondale Street in July. She has now obtained a buyer for the building at 64 Clifftondale Street. However, the bank will not grant a mortgage to the buyer until the sub-division is granted. The petitioner is of advanced years and unable any longer to maintain her property. The records indicate the lots were separately assessed and the petitioner appears to have acted in good faith. Approval is recommended.

Optional case

VOTED: That in connection with Petition No. Z-609 brought by Jeannette A. Aitken, 64 Clifftondale Street, West Roxbury, for variance to sub-divide lot in a single family district, the Boston Redevelopment Authority has no objection to the granting of the variance.

This is a case of practical difficulty and substantial hardship. Allowance will permit the bank to grant a mortgage and the sale to be consummated.

Re: Petition No. Z-610
Ruth P. Conlan
19 Joy Street, Boston

Three variances are sought to change occupancy from four to five families in an apartment (H-2) district. Transportation-Engineering Department recommends denial, "the increased density developed by permitting one additional dwelling unit in this building should be offset by the provision of an additional parking space for the new tenant." No parking is available on the lot.
Optional case

VOTED: That in connection with Petition No. Z-610 brought by Ruth P. Conlan, 19 Joy Street, Boston, for three variances to change occupancy from four to five families in an apartment district, the Boston Redevelopment Authority is opposed to the granting of the variances. The parking situation on Beacon Hill already is acute and the present shortage will be increased further if this use is granted.

Re: Petition No. Z-611
P.J. Lazarkis Realty Trust
360 North Beacon St., Brighton

Insufficient front and rear yard variances are sought to erect a two-story' and basement building in a light manufacturing district. The lot is triangular shaped, sloped and backs up to the Mass. Turnpike. The proposed structure would be used for light manufacturing and offices. A 20 foot front yard is required and for the greater part, not provided. Only three feet is provided at one point. It is felt there should be at least a minimum of eight feet. Recommend denial as submitted.
Optional case

VOTED: That in connection with Petition No. Z-611 brought by P.J. Lazarkis Realty Trust, 360 North Beacon Street, Brighton, for two variances to erect a two-story building in a light manufacturing district, the Boston Redevelopment Authority is opposed to the granting of the variances only as submitted.

Though the lot is triangular, it is felt that the building can be designed so that at least a minimum of eight feet at the narrowest point can be provided for a front yard.

Re: Petition No. Z-612
Heinz Brandt
1290 Dorchester Ave., Dorchester

A variance of insufficient front yard is sought to change occupancy from three car garage to auto repair shop in a light manufacturing (M-1) district. The garages are vacant and set back approximately 105 feet from the sidewalk. A dwelling exists in front of the proposed use and also on either side. Though these dwellings are in a local business (L-1) district, they are nevertheless living units. As several auto repair shops exist now in the immediate area, it is felt that an additional shop would be injurious to the neighborhood.
Recommend denial. Optional case

VOTED: That in connection with Petition No. Z-612 brought by Heinz Brandt, 1290 Dorchester Ave., Dorchester, for a variance of insufficient front yard to change occupancy from three car garage to auto repair shop in a light manufacturing district, the Boston Redevelopment Authority is opposed to the granting of the petition. There are several dwellings close by this garage and an auto repair shop will be injurious to them. Several auto body repair shops already exist in the area.

Re: Petitions No. Z-613 & Z-614
Harry Fineman
65 & 67 Woodrow Ave., Dorchester

Seven variances are sought to sub-divide lot in a residential (R-.8) district. Appellant wishes to sell a three-family dwelling and retain the lot and one story brick building which he operates as a variety store. It is felt the sub-division would be compatible with the area generally and approval is recommended.
Optional case

VOTED: That in connection with Petitions No. Z-613 & Z-614 brought by Harry Fineman, 65 & 67 Woodrow Avenue, Dorchester, for several variances to sub-divide lot in a residential (R-.8) district, the Boston Redevelopment Authority

has no objection to the granting of the variances. The separate dwellings are existing and access is provided to the rear of the dwelling and store. The proposed sub-division would be compatible with the area in general.

Re: Petition No. Z-615
S. H. Corp.
400-416 Commonwealth Ave., Boston

The Somerset Hotel proposes to remodel the second, third, fourth floors and penthouse of it's east wing for office use which is forbidden in an apartment (H-5) district. The Hotel Corporation of America would lease the space for executive offices. Under a previous petition, the Board of Appeal granted approval for office space on top of garage which is now being erected in the rear of the hotel but the use was abandoned for cost reasons. The Back Bay Project Director reports favorably and approval is recommended.

VOTED: That in connection with Petition No. Z-615 brought by S. H. Corp., 400-416 Commonwealth Avenue, Boston, for a forbidden use, offices in an apartment district, the Boston Redevelopment Authority has no objection to the granting of the variance. The proposed use is reasonable and will not adversely affect the area. All other requirements of the code have been met.

Re: Petition No. Z-616
Saul Klayman
515 Cummins Highway, Mattapan

A change in non-conforming use and four variances are sought to allow a veterinarian's office in a single family (S-.5) zone. The variances consist of lot area per additional unit, front yard, side yard and traffic visibility across corner less than required. The use is located at the corner of Annafran Street. Transportation-Engineering Department is opposed because of the deficiency in traffic visibility. A 14' x 16' section of the building interferes with visibility. Inspection reveals this section to be a porch which is now enclosed. Work had apparently started and stopped. Recommend denial.

VOTED: That in connection with Petition No. Z-616 brought by Saul Klayman, 515 Cummins Highway, Mattapan, for a change in non-conforming use and four variances to allow a veterinarian's office in a single family district, the Boston Redevelopment Authority is opposed to the granting of the variances. The porch is now enclosed cutting off traffic visibility from Annafran Street to the heavily used Cummins Highway. The intersection is a serious traffic hazard.

Re: Petition No. Z-617
Thomas Hewitt
44 John Eliot Square, Roxbury

A conditional use and two variances are sought to erect an automobile inspection station in a local business (L-1) district. This intersection is formed by Centre, Dudley, Roxbury and Highland Streets. Dudley and Roxbury Streets are only open to one-way traffic. Highland Street becomes one-way a block from the proposed structure. Automobile traffic generated by an inspection station would tend to aggravate the vehicular and pedestrian traffic in Eliot Square. Timilty High School and Norfolk House are within the confines of the Square. The Roxbury-North Dorchester GMRP staff is opposed. Denial is recommended.

VOTED: That in connection with Petition No. Z-617 brought by Thomas Hewitt, 44 John Eliot Square, Roxbury, for a conditional use and two variances to erect an automobile inspection station in a local business district, the Boston Redevelopment Authority is opposed to the granting of the petition. The one-way pattern and traffic circle in the Square tend to make the use unreasonable. The Square is active with very heavy pedestrian and vehicular traffic day and evening.

Re: Petition No. Z-618
Max Leiter
101 Hackensack Rd., West Roxbury

Six variances are sought to erect a one-family dwelling and two car garage in a single family (S-.3) district. Variances are lot size, lot width, front, side, and rear yards less than required and excessive floor area ratio. The petitioner has owned the lot for fourteen years and now because of physical

illness must build a home with as few stairs as possible. The floor area ratio, front and side yard deficiencies are minimal. The two adjoining lots are approximately the same size. Approval is recommended.

Optional case

VOTED: That in connection with Petition No. Z-618 brought by Max Leiter, 101 Hackensack Road, West Roxbury, for six variances to erect a one-family dwelling and two car garage in a single family district, the Boston Redevelopment Authority has no objection to the granting of the variances. This is a case of practical difficulty and physical hardship. The floor area ratio, front and side yard violations are minimal. The two adjoining lots are approximately the same size. The use will not have an adverse affect on the immediate area.

Re: Petitions No. Z-619 thru Z-622
Edison Park, Inc.
44-50-55-56 Broadlawn Pk., W. Roxbury

This area is just off LaGrange Street at the junction of the Newton, Brookline and Boston boundaries. Variances sought to legalize height on four buildings which have been built to a height of three stories in an R-.5 district which allows two stories for apartment or row housing on a lot of two acres or more, which area is supplied. It is supposedly now discovered that what was intended to be a basement (less than 65% above mean grade) is now more than 65% (actually 100% above grade) with full length windows so that we now have four full fledged three story buildings. It appears that there is a flouting of the law in this case and the variance power should not be used to endorse it since there are no justifiable reasons for it. The proper action now is a zone change. This appeal was previously denied in June by the Board of Appeal. The Authority was opposed then and again, denial is recommended.

VOTED: That in connection with Petitions No. Z-619 thru Z-622 brought by Edison Park, Inc., seeking a height variance to legalize four three-story buildings at Nos. 44-50-55-56 Broadlawn Park, West Roxbury, the Boston Redevelopment Authority opposes the granting of the petition for the following reasons: 1) whatever the intention, it appears from an inspection that the design was originally for three-stories; 2) there were no special circumstances involved; 3) there were no practical difficulties; 4) it is not in harmony with the

intent of the code; 5) the only way to purify this situation is to request a zone change.

Re: Petition No. Z-623
John M. Demerjian
230 Roslindale Ave., Roslindale

A forbidden use is sought in a residential (R-.5) district to change occupancy from single family to single family and telephone answering service. The service would be installed in the basement. The area is one of fine residential character and the proposed use would be injurious and detrimental to the neighborhood. No evidence of practical difficulty or hardship has been submitted. Denial is recommended.

VOTED: That in connection with Petition No. Z-623 brought by John M. Demerjian, 230 Roslindale Avenue, Roslindale, for a forbidden use to change occupancy from single family to single family and telephone answering service, a business use, the Boston Redevelopment Authority is opposed to the granting of the petition. The use would be detrimental and injurious to this fine residential neighborhood. No evidence of substantial hardship has been submitted to justify the variance.

Re: Petition No. Z-624
Esso Humble Oil & Refining Co.
4590 Washington St., Roslindale

Extension of a non-conforming use, which adjoins a local business district, and variance of rear yard less than required are sought to erect a one-story addition to a service station in a residential (R-.5) district. The extension would be used as an inspection bay. Appellant states that presently customers' cars are driven to other inspection stations. Also, some customers are lost due to the lack of inspection facilities. Approval is recommended.

VOTED: That in connection with Petition No. Z-624 brought by Esso Humble Oil & Refining Co., 4590 Washington Street, Roslindale, for extension of a non-conforming use and variance of rear yard less than required to erect a one story addition to a service station to be used as an inspection bay. The Boston Redevelopment Authority has no objection to the

granting of the petition. The site adjoins a local business zone and the proposed expansion will be beneficial both to appellant and customers. The neighborhood will not be adversely affected.

Re: Petition No. Z-625
Frank Ryerson
380 Ashmont Street, Dorchester

Variances of side and rear yards less than required are sought to erect a two-car carport and open deck in a residential (R-.5) district. The staff is not opposed to the carport but feels the open deck should be excluded and the side yard requirement of ten feet be complied with. Denial is recommended.

Optional case

VOTED: That in connection with Petition No. Z-625 brought by Frank Ryerson, 380 Ashmont Street, Dorchester, for variances of side and rear yards less than required to erect a two-car carport and open deck in a residential district, the Boston Redevelopment Authority is opposed to the granting of the variances as submitted. The Authority is not opposed to the carport but feels the open deck should be excluded and the side yard requirement be complied with.

Re: Petition No. Z-626
Brigham Apartments, Inc.
804 Centre St., Jamaica Plain

Ten variances are sought to erect a basement and three-story, forty unit apartment building in a residential (R-.8) district which on the area supplied would allow only three units. The proposed use would require an H-4 zone, a downtown density. Other violations consist of off-street parking not supplied and not allowed in front yard, traffic visibility across corner not supplied, excessive floor area ratio, open space less than required, and yard violations. The creation of sub-standard conditions derogates from the intent and purpose of the code. Lack of providing adequate light and air and overcrowding of land are two fundamentals of zoning being violated by the proposed use. There is no practical difficulty or hardship involved and the violations are detrimental to the neighbors and public welfare. Recommend denial.

VOTED: That in connection with Petition No. Z-626 brought by Brigham Apartments, Inc., 804 Centre Street, Jamaica Plain, for ten variances to erect a basement and three-story forty unit apartment building in a residential (R-.8) district, the Boston Redevelopment Authority is opposed to the granting of the variances. This is an unreasonable attempt to erect a building much too large for the area of land available. Only three units would be normally allowed in this district for the 8100 sq. ft. supplied. The proposed density would require an H-4 zone which is entirely incompatible with this area.

Re: Petition No. Z-627
Victor E. Jabbour
174 Spring St., West Roxbury

A forbidden use, a conditional use and three yard variances are sought to erect a one-story building for office, storage and garage for landscape contractor including outdoor sale and display of garden supplies in a local business (L-.5) district. It is felt that the variances should not be allowed where new construction is involved. The yard requirements of the code could be easily met by the appellant. The use itself is forbidden and the outdoor sale of garden supplies is conditional. Recommend denial.

VOTED: That in connection with Petition No. Z-627 brought by Victor E. Jabbour, 174 Spring St., West Roxbury, for a forbidden use, a conditional use and three variances to erect a one-story office, storage and garage building in a local business district, the Boston Redevelopment Authority is opposed to the granting of the petition. It is felt that these variances should not be allowed where new construction is involved. The appellant could easily meet the yard requirements of the code.